



**Charles W. McKee**  
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November 9, 2016

**Via Electronic Filing**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

*Re: Notice of Ex Parte: Business Data Services in an Internet Protocol Environment, WC Docket No. 16-143; Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans, WC Docket No. 15-247; Special Access for Price Cap Local Exchange Carriers, WC Docket No. 05-25; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Service, RM-10593*

Dear Ms. Dortch,

On November 7, 2016, Vonya McCann, Senior Vice President of Government Affairs for Sprint Corporation and the undersigned met with Commissioner Rosenworcel and Travis Litman, Legal Advisor for Commissioner Rosenworcel, to discuss the above referenced docket.

In that meeting Sprint emphasized that: (1) the record before the FCC supports a reduction to TDM price caps of at least 11% over a two-year period to account for the gap in productivity accounting and an X-factor at least 3% annually. Sprint emphasized the importance of a two year transition given the ILEC incentive to exploit their current monopoly rents by delaying the conversion to Ethernet services; (2) the Commission is justified in adopting rules that impose price caps in all areas for BDS at or below 50 Mbps based on its findings that all but a tiny percentage of locations are inadequately competitive; (3) the Commission should reject the eleventh-hour request of some ILECs to carve-out critical transport service elements from its reform proposal; and (5) the *Further Notice* should acknowledge the lack of competition for Ethernet services in the majority of the country and establish a method of monitoring this market, particularly given the recent flurry of consolidation in the providers of BDS.

Marlene H. Dortch, Secretary  
November 9, 2016  
Page 2

Pursuant to the FCC's rules, a copy of this notice is being electronically filed in the above-referenced proceeding. If you require any additional information, please contact me.

Sincerely,

/s/ Charles W. McKee  
Charles W. McKee

cc: Travis Litman